



CITY COUNCIL STAFF REPORT

Date: July 6, 2016

LEGISLATIVE

Subject: PROPOSED ORDINANCE AMENDING SECTIONS 15.28.040 AND 15.28.060 OF THE PALM SPRINGS MUNICIPAL CODE RELATING TO ACCEPTANCE OF INDUSTRIAL COOLING WATER OR UNPOLLUTED PROCESS WATER INTO THE CITY'S SANITARY SEWER SYSTEM FOR TREATMENT

From: David H. Ready, City Manager

Initiated by: Public Works and Engineering Department

SUMMARY

Under the current provisions of the Palm Springs Municipal Code, the City prohibits the discharge of industrial cooling water or unpolluted process water into the City's sanitary sewer system. The City Engineer has evaluated the ability for the City's sanitary sewer system and Wastewater Treatment Plant ("WWTP") to accept industrial cooling water and unpolluted process water, and has recommended that the City Council consider authorizing the discharges of these additional sources of water to the WWTP given its current excess capacity for treatment, and further beneficial reuse through Desert Water Agency's water reclamation plant.

RECOMMENDATION:

Waive text and introduce for first reading Ordinance No. _____, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS AMENDING CHAPTER 15.28 "WATER AND SEWERS" OF THE CITY OF PALM SPRINGS MUNICIPAL CODE TO CAPTURE INDUSTRIAL COOLING WATER OR UNPOLLUTED PROCESS WATER IN CITY SEWERS FOR TREATMENT."

STAFF ANALYSIS:

Currently, pursuant to Sections 15.28.040 and 15.28.060 of the Palm Springs Municipal Code, the City prohibits the discharge of industrial cooling water or unpolluted process water into the City's sanitary sewer system. These codes were adopted by Ordinance No. 1682 in 2006, at a time when the full impact of water conservation measures vis-à-vis high efficiency dishwashers, washers, low-flow toilets, shower heads, etc., had not yet been documented in the wastewater flows conveyed through the City's sanitary

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sewer system to the City's Wastewater Treatment Plant ("WWTP"). Over the last 16 years, these water conservation measures have had a dramatic impact on the volume of influent discharged through the sanitary sewer system to the WWTP for treatment. Whereas, in 2000 the volume of influent on an average daily basis reached a peak of approximately 9 million gallons per day ("mgd"), but subsequently has reduced to approximately 6 mgd; the City's WWTP has a capacity to treat up to 10.9 mgd.

All of the City's influent is treated at the WWTP and discharged as treated effluent for further treatment and beneficial use through Desert Water Agency's ("DWA") water reclamation plant. DWA subsequently sells beneficial reuse of the reclaimed water for irrigation purposes at various parks, golf courses, and landscaped area. Typically, throughout the year, DWA can accept 100% of the City's treated effluent from the WWTP, except for periods during the winter months when the demand for DWA's reclaimed water is lower. However, throughout the spring and summer months, the City's WWTP cannot generate the volume of effluent to DWA to meet 100% of DWA's demand for reclaimed water, and given this problem, to the extent that staff can identify alternative sources of flow for treatment at the WWTP and further beneficial reuse by DWA, staff will evaluate and recommend to City Council changes to the City's codes or policies that otherwise might prohibit accepting such alternative sources of flow.

Currently, staff has evaluated the restriction against accepting industrial cooling water or unpolluted process water into the City's sewer system for treatment. In reviewing these types of discharges, staff has determined that these discharges do not otherwise violate the sewer regulations and do not contain prohibited wastes. Prohibiting their discharge in 2006 was likely due to concern for increasing flows to the WWTP, at a time when the full reduction of wastewater flows due to water conservation measures had not yet been realized or documented. This is not the case today, the City's WWTP has sufficient excess capacity to accept the nominal additional flow due to industrial cooling water or unpolluted process water, and further, these flows will be treated and directly conveyed to DWA for further beneficial reuse by DWA as reclaimed water for irrigation purposes.

ENVIRONMENTAL IMPACT:

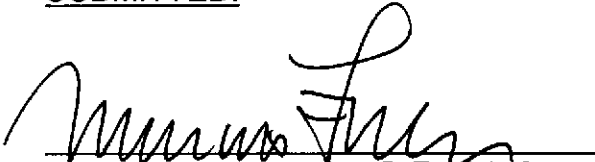
Section 15061 (b)(3) of the California Environmental Quality Act ("CEQA") Guidelines exempts activities that are covered under the general rule that CEQA applies only to projects that have the potential to cause significant effects on the environment. Where it can be seen with certainty that there is no possibility the activity in question may have a significant effect upon the environment, the activity is not subject to CEQA. The proposed ordinance would allow for acceptance of certain sources of water into the City's sanitary sewer system for further treatment at its Wastewater Treatment Plant, subject to current restrictions on prohibited wastes in sewage accepted for and treated by the City. Therefore, the proposed ordinance allowing for acceptance of industrial cooling water or unpolluted process water does not in itself result in any new direct physical impacts to the environment, as the City's Wastewater Treatment Plant currently

operates to effectively treat such unpolluted waters. Therefore, the requested action is considered exempt from CEQA.

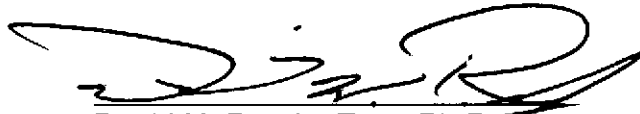
FISCAL IMPACT:

No significant change to City revenue or expenditures is expected as a result of adopting the proposed ordinance.

SUBMITTED:



Marcus L. Fuller, MPA, P.E., P.L.S.
Assistant City Manager/City Engineer



David H. Ready, Esq., Ph.D.
City Manager

Attachments:

Ordinance

ATTACHMENT

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS AMENDING CHAPTER 15.28 "WATER AND SEWERS" OF THE CITY OF PALM SPRINGS MUNICIPAL CODE TO CAPTURE INDUSTRIAL COOLING WATER OR UNPOLLUTED PROCESS WATER IN CITY SEWERS FOR TREATMENT

City Attorney's Summary

Under the current provision of the Palm Springs Municipal Code, industrial cooling water or unpolluted process water is prohibited to be discharged to the City's sanitary sewer system. This Ordinance will allow industrial cooling water or unpolluted process water to be discharged to the City's sanitary sewer system upon review and approval by the City.

WHEREAS, the City of Palm Springs ("City") intends to capture sources of water discharge for treatment by the Desert Water Agency for further reclamation and beneficial reuse; and

WHEREAS, Desert Regional Medical Center, Inc. ("DRMC") contacted the City to request concurrence from the City to convey potential industrial unpolluted water discharges to the City's sanitary sewer system; and

WHEREAS, the DRMC cooling tower system consists of one fluid cooler and two evaporative condensers for the purpose of maintaining temperature control in operating rooms, patient rooms, and the main building; and

WHEREAS, GSI Environmental conducted a study of the volume and quality of the discharge water from the DRMC cooling tower system and found that the chemistry of the discharge does not violate the City's sewer use regulations; and

WHEREAS, the City's sanitary sewer system has ample capacity to capture industrial cooling water;

NOW THEREFORE, the City Council of the City of Palm Springs hereby ordains as follows:

Section 1. Section 15.28.040 of the Palm Springs Municipal Code is hereby amended in its entirety to read as follows:

"Section 15.28.040 Improper effluents for sanitary sewers.

No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, or subsurface drainage into any sanitary sewer.”

Section 2. Section 15.28.060 of the Palm Springs Municipal Code is hereby amended in its entirety to read as follows:

“Section 15.28.060 Unpolluted industrial water.

- A. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the director of public works or such other official with responsibility over the Palm Springs sanitary sewer service, to the sewer system upon a determination that the sewer system has available capacity for such discharge, and such discharge does not contain prohibited and regulated wastes, unless such wastes are intercepted with preliminary treatment facilities prior to such discharge in accordance with Code section 15.28.090.
- B. Any discharge for which approval is granted in accordance with section 15.28.060(A) shall be subject to periodic monitoring to occur at least once a year to ensure there is no change to the quantity or quality of industrial cooling water or unpolluted process waters being discharged.”

Section 3. If any section or provision of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, or contravened by reason of any preemptive legislation, the remaining sections and/or provisions of this Ordinance shall remain valid. The City Council hereby declares that it would have adopted this Ordinance, and each section or provision thereof, regardless of the fact that any one or more section(s) or provision(s) may be declared invalid or unconstitutional or contravened via legislation.

Section 4. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after passage.

**PASSED, APPROVED AND ADOPTED BY THE PALM SPRINGS CITY COUNCIL THIS
__ DAY OF ____, 2016.**

Robert Moon, Mayor

ATTEST:

James Thompson, City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Ordinance No. _____ is a full, true and correct copy, and was introduced at a regular meeting of the Palm Springs City Council on the ___ day of _____, 2016, and adopted at a regular meeting of the City Council held on the ___ day of _____, 2016, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California